

Comments:

BACKGROUND

Total Point Inc. is a manufacturer of Micro Radio FM equipment including products designed specifically for use by emergency personnel (product information enclosed). In February of 1999 Total Point Inc. submitted an exemption request with the CRTC. (Please see letter labeled "Exemption Request" below). The Total Point Inc. equipment has been used by emergency and highways personnel with very good results (surveys have documented the public's favorable reaction).

The Canadian Radio and Television Commission -- the body which governs broadcasting in Canada, is presently soliciting public comment on an exemption order, Public Notice CRTC 1999-169, which would exempt from licensing requirements ultra low power FM (up to 5 watts) for use by qualified emergency personnel. (Please see Public Notice 1999-169 documented below)

Total Point has received a very significant interest from the United States. Total Point Inc. is currently in discussions with an American firm and anticipates that the FM technology will be transferred to an American Company.

SUGGESTED POLICY/RULE MAKING

1. FCC specifically permit qualified emergency personnel to use FM Microradio messaging systems for emergency situations,

and/or:

A standardized authorization procedure be formalized (i.e. an extension of the existing Special Temporary Authority) to ensure emergency personnel can use FM Microradio in an appropriate and timely manner.

RATIONALE

The proposed rule making noted above would serve as an extension of the existing emergency broadcast system. The existing rules stop short of specifically authorizing the use of FM Microradio. By specifically outlining how and under what emergency circumstances FM Microradio can be deployed; the public and emergency personnel would be well served. The suggested rule making noted above fits very directly with the intent and desires of the existing rules.

Direct evidence of the suitability, significant benefits and complementary nature (to existing broadcasters both AM and FM) of the proposed rule making exists.

AM technology does not and cannot provide the capabilities that FM does.

BENEFITS OF PROPOSED RULE MAKING

1. Provide emergency personnel with a valuable tool for informing the public and others on a direct, localised basis.
2. Direct evidence of public acceptance and favorable results of the proposed rule making are evidenced by situations where FM Microradio has been used in emergency situations.
3. Monetary benefits including:
 - Direct Cost Savings
 - More efficient operations
 - Avoided Costs
4. Complementary to existing broadcasters -- use of FM Microradio for emergency purposes is complementary to existing broadcasters. The Microradio systems are more “messaging systems” than broadcast--the historical use of the systems has not posed conflict with existing broadcasters.
5. Significantly less expensive, more effective, more controllable, and more portable than AM technology--AM cannot provide the capabilities that FM can.
6. Fits with future “smart highways” applications including data casting.
7. Public Interest best served by facilitating Emergency Applications as a priority in any rule making.

In Summary, I suggest strongly that FCC allow or make an exemption for the use of “microradio” by qualified emergency personnel in emergency situations.

EXEMPTION REQUEST

To: Secretary General
Canadian Radio-television and Telecommunications Commission
Ottawa, Ontario
K1A 0N2

From: Gordon Duncan
Total Point Inc.

Date: February 8, 99

Re: Licensing Exemption Request For InfoPoint Equipment

Background

Total Point Inc. is a manufacturer of certified low power FM messaging systems designed for public safety services. These systems have been used by qualified public safety officials in various situations to very good result. The officials have been frustrated in their attempts to deal with the regulatory agencies' whose present regulatory requirements are not relevant. To resolve this issue we respectfully request that the Total Point Inc. system(s) designed for public safety applications be exempted from license requirements of the CRTC. Background material as supplied to M. Vogel is supplied herein.

Request

The CRTC exempt the Total Point Inc. products from CRTC licensing requirements under the following conditions:

Each system used by qualified personnel with a specific CRTC-licensable individual assigned responsibility for the equipment.

Power level will not exceed 5 watts.

Systems will be used on a non interfering non protected basis.

The equipment is only used for messaging purposes, i.e. not a broadcast undertaking.

Industry Canada officials will be notified prior to any use.

Some examples of situations anticipated to be covered by the exemption include:

- Use by Police/Emergency Personnel/Military/ Fire Department/other public officials for informing the public as required.
- Environmental Threats/Warnings/Incidents
- Industrial Threats/Warnings/Incidents
- Evacuations
- Public Health information
- Search and Rescue operations
- Forest Fires
- Traffic Safety Advisories

Disasters can not be anticipated. It is therefore necessary to empower the public officials responsible for managing the disaster to use the methods most appropriate to the situation. We respectfully suggest that the direct evidence of the favorable use and utility of the Total Point Inc. equipment is a strong testament to the public interest which will be served by the exemption order requested.

Yours Very Truly,

Gord Duncan,
President

Public Notice CRTC 1999-169

Ottawa, 18 October 1999

FM emergency messaging systems: Call for comments on a proposed exemption order

Summary

The Commission is calling for public comment on a proposed exemption order for low-power FM emergency messaging systems.

Introduction

1. The Commission has received a request to exempt from the requirement to hold a license, the low-power mobile FM emergency messaging systems for use by police, emergency personnel, military, and fire departments to alert the public to natural disasters, emergency road conditions and major accidents, industrial threats, evacuations, and search and rescue.
2. The Commission uses exemption orders to implement section 9 (4) of the Broadcasting Act (the Act). This section specifies that the Commission shall exempt from regulation or licensing any class of broadcasting undertaking where it is clear that licensing or regulation will not contribute in a material way to the implementation of the broadcasting policy for Canada set out in the Act.

Call for comments

3. The Commission invites written comments on the draft exemption order set out in the appendix to this notice. The Commission will accept comments that it receives on or before 17 November 1999.
4. The Commission will not formally acknowledge written comments. It will, however, fully consider all comments and they will form part of the public record of the proceeding, provided that the procedures for filing set out below have been followed.

Procedure for filing comments

5. Interested parties should send their comments on the proposed exemption order to the Secretary General, CRTC, Ottawa, K1A 0N2

Parties must file all submissions in "hard copy format" (i.e. on paper).

Comments longer than five pages should include a summary.

6. The Commission also encourages parties to file electronic versions of their comments by e-mail or on diskette. The Commission's e-mail address for electronically filed documents is procedure@crtc.gc.ca

Electronic submissions should be in the HTML format. As an alternative, those making submissions may use "Microsoft Word" for text and "MicrosoftExcel" for spreadsheets.

Please number each paragraph of the comment. In addition, please enter the line ***End of Document*** following the last paragraph. This will help the Commission verify that the document has not been damaged during transmission.

7. The Commission will make comments filed in electronic form available on its web site at www.crtc.gc.ca in the official language and format in which they are submitted. This will make it easier for members of the public to consult the documents.

Proposed exemption order respecting public emergency radio undertakings

Purpose

The purpose of these radio programming undertakings is to provide information related to public emergencies, such as natural disasters and major accidents, to those immediately affected.

Description

1. The undertaking meets all technical requirements of the Department of Industry and has acquired all authorizations or certificates prescribed by that Department.
2. The undertaking operates between 525 and 1705 kHz in the AM frequency band or between 88 and 107.5 MHz in the FM frequency band.
3. The undertaking broadcasts at a power of 5 watts or less transmitter power for AM or with an Effective Radiated Power (ERP) of 5 watts or less for FM.
4. The undertaking is operated by a member, in their capacity as such, of a police department, fire department or any organization designated by a federal, provincial or municipal government as being responsible for the coordination of emergency relief.
5. The programming provided by the undertaking is information and instruction regarding a public emergency.
6. The programming provided by the undertaking contains no music or advertising material.
7. The programming is live or on a tape-delayed basis and, if taped, is distributed within 24 hours of the original recording.

8. The undertaking broadcasts its programming over a period of not more than seven consecutive days.

9. The undertaking does not broadcast programming that is religious or political in nature.

AVI99-169_0